

Application No. 09/853,197  
Amendment under 37 C.F.R. §1.114 dated August 4, 2005  
Reply to Final Office Action of May 4, 2005

Docket No. 1232-4714

**Amendments to the Claims:**

Claims 1-17 are pending in this application. Claims 1, 8, 15 and 17 are independent

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1 (CURRENTLY AMENDED): An image sensing apparatus for ~~photographing an image~~  
~~signal of a subject~~, comprising:

an image sensor that ~~senses said~~ outputs an image signal of ~~said a~~ subject for  
photographing;

an image display device that displays ~~said an~~ image signal ~~while said image~~  
~~sensing apparatus photographs said image signal~~ based on said image signal obtained by said  
image sensor;

a display designating unit that determines whether or not said image signal is  
displayed by said image display device ~~while said image sensing apparatus photographs said~~  
~~image signal~~; and

a focus evaluating value obtaining device that obtains a focus evaluating value for  
adjusting a focus based on said image signal obtained by said image sensor~~[[,]]~~; and

~~wherein said focus evaluating value obtaining device obtains said focus~~  
~~evaluating value by reading only a portion of said image sensor when said display designating~~  
~~unit determines that said image signal is not displayed by said image display device while said~~  
~~image sensing apparatus photographs said image signal~~

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a control unit that controls a change of reading manners of said image signal from said image sensor for obtaining the focus evaluating value according to the determination of said display designating unit.

2 (CURRENTLY AMENDED): The image sensing apparatus according to claim 1, wherein ~~said part of the region of said image sensor~~ reading manners include to read said image signal from a portion of said image sensor, and the portion includes a focusing signed detecting area set in advance.

3 (CURRENTLY AMENDED): The image sensing apparatus according to claim 1, wherein ~~said focus evaluating value obtaining device obtains said focus evaluating value by reading the entire~~ said reading manners includes to read said image signal from a display region of said image sensor when said display designating unit determines that said image signal is displayed by said image display device while said image sensing apparatus photographs said image signal.

4 (PREVIOUSLY PRESENTED): The image sensing apparatus according to claim 1, wherein said focus evaluating value is obtained based on a high frequency component of said image signal obtained by said image sensor.

5 (CURRENTLY AMENDED): The image sensing apparatus according to claim 1, further comprising:

a display prohibiting device that prohibits display of said image signal by said image display device at least until photographing processing is completed if said display

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designating unit determines that said ~~sensed~~ image is displayed by said image display device while said image sensing apparatus photographs said ~~sensed~~ image signal.

6 (ORIGINAL): The image sensing apparatus according to claim 1, further comprising:  
a focus adjusting device that adjusts a focus based on said focus evaluating value obtained by said focus evaluating value obtaining device.

7 (CURRENTLY AMENDED): The image sensing apparatus according to claim 1, wherein ~~designation~~ determination by said display designating unit is stored in a memory as an image display flag.

8 (CURRENTLY AMENDED): A control method of an image sensing apparatus for ~~photographing an image signal of a subject~~, comprising:  
an image sensing step by an image sensor that ~~senses said~~ outputs an image signal of said ~~a~~ subject ~~for photographing~~;

an image displaying step by an image display device that displays said ~~image~~ signal while said image sensing apparatus photographs said image signal ~~an image based on said~~ image signal obtained by said image sensor;

a display designating step by a display designating unit that determines whether or not said image signal is displayed by said image displaying step ~~while said image sensing apparatus photographs said image signal~~; and

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a focus evaluating value obtaining step by a focus evaluating value obtaining device that obtains a focus evaluating value for adjusting a focus based on said image signal obtained by said image sensing step[.]; and

~~wherein said focus evaluating value obtaining device obtains said focus evaluating value by reading only a portion of said image sensor when said display designating unit determines that said image signal is not displayed by said image display device while said image sensing apparatus photographs said image signal~~

a control step by a control unit that controls a change of reading manners of said image signal from said image sensor for obtaining the focus evaluating value according to the determination of said display designating unit.

9 (CURRENTLY AMENDED): The control method of an image sensing apparatus according to claim 8, wherein said ~~part of the region of said image sensor~~ reading manners include to read said image signal from a portion of said image sensor, and the portion includes a focusing signed detecting area set in advance.

10 (CURRENTLY AMENDED): The control method of an image sensing apparatus according to claim 8, ~~said focus evaluating value is obtained in said focus evaluating value obtaining step by reading the entire~~ wherein said reading manners includes to read said image signal from a display region of said image sensor when said display designating unit determines that said image signal is displayed by said image display device while said image sensing apparatus photographs said image signal.

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11 (PREVIOUSLY PRESENTED): The control method of an image sensing apparatus according to claim 8, wherein said focus evaluating value is obtained based on a high frequency component of said image signal obtained by said image sensing step.

12 (CURRENTLY AMENDED): The control method of an image sensing apparatus according to claim 8, further comprising:

a display prohibiting step that prohibits display of said image signal by said image displaying step at least until photographing processing is completed if said display designating step determines that said sensed image is displayed by said image displaying step while said image sensing apparatus photographs said sensed image signal.

13 (ORIGINAL): The control method of an image sensing apparatus according to claim 8, further comprising:

a focus adjusting step that adjusts a focus based on said focus evaluating value obtained by said focus evaluating value obtaining step.

14 (CURRENTLY AMENDED): The control method of an image sensing apparatus according to claim 8, wherein ~~designation~~ determination by said display designating step is stored in a memory as an image display flag.

15 (CURRENTLY AMENDED): A storage medium in which a control program for controlling an image sensing apparatus is stored, wherein said control program comprising codes that, when executed, causes a computer to carry out the steps of:

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a code of an image sensing step by an image sensor that obtains an image signal  
 by sensing an image of a subject;

a code of an image displaying step by an image display that displays ~~said image~~  
~~signal while said image sensing apparatus photographs said image signal~~ an image signal based  
on said image signal obtained by said image sensor;

a code of a display designating step by a display designating unit that determines  
 whether or not said ~~sensed~~ image is displayed by said image displaying step ~~while said image~~  
~~sensing apparatus photographs said image signal; and~~

a code of a focus evaluating value obtaining step by a focus evaluating value  
 obtaining device that obtains a focus evaluating value for adjusting a focus based on said image  
 signal obtained by said image sensing step[.]; and

~~wherein said focus evaluating value obtaining device obtains said focus~~  
~~evaluating value by reading only a portion of said image sensor when said display designating~~  
~~unit determines that said image signal is not displayed by said image display device while said~~  
~~image sensing apparatus photographs said image signal~~

a code of a control step by a control unit that controls a change of reading  
manners of said image signal from said image sensor for obtaining the focus evaluating value  
according to the determination of said display designating unit.

16 (CURRENTLY AMENDED): The storage medium according to claim 15, ~~in said focus~~  
~~evaluating value obtaining step by reading the~~ wherein said reading manners include to read said  
image signal from an entire region of said image sensor when said display designating unit

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determines that said image signal is displayed by said image display device while said image sensing apparatus photographs said image signal.

17 (CURRENTLY AMENDED): An image sensing apparatus, comprising:

~~an image sensor configured to sense an image of a subject to output an image signal;~~

~~a display configured to display said image signal while said image sensing apparatus photographs said image signal~~ image based on said image signal obtained by said image sensor;

~~a designation unit configured to determine whether or not said image signal is displayed by said display while said image sensing apparatus photographs said image signal; and~~

~~a calculation unit configured to calculate a focus evaluating value for focus adjustment based on said image signal~~ [[,]]; and

~~wherein said calculation unit calculates said focus evaluating value by reading only a portion of said image sensor when said display designating unit determines that said image signal is not displayed by said image display device while said image sensing apparatus photographs said image signal~~

a control unit configured to control a change of reading manners of said image signal from said image sensor for obtaining the focus evaluating value according to the determination of said display designating unit.